

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

JENNIFER ANN F., individually and on  
behalf of M.L.F, a minor child

Plaintiffs,

V.

UNITED STATES OF AMERICA

Defendant.

Case No. 1:22CV453

JUDGE CHARLES E. FLEMING

**REDACTED COMPLAINT**

(Trial by Jury Demanded Herein)

Now come Plaintiffs, through counsel, and for their Complaint against Defendant, state as follows:

## JURISDICTION

1. This Court has jurisdiction over this Civil Action pursuant to the Federal Tort Claims Act, 28 U.S.C. 1346 since it arises from the conduct of an employee of the United States Postal Service who was acting in the course and scope of her employment.

**VENUE**

2. Venue is proper in this District because the automobile accident from which this Civil Action arises occurred in the Northern District of Ohio, specifically in the area of US Route 42 in the County of Medina, Ohio.

**FACTS**

3. Upon information and belief, while in the course and scope of her employment with the United States Postal Service ("USPS"), Doinita Ghise (hereinafter referred to as "Ghise") negligently and in violation of the applicable statutes and ordinances, operated a motor vehicle owned by the USPS, westbound on US Route 42 (Lafayette Road, City of Medina, Ohio, causing it to violently collide with the rear end of the motor vehicle being properly operated by Plaintiff, Jennifer Ann F..

**FIRST CAUSE OF ACTION - JENNIFER ANN F.**

4. As a direct and proximate result of Ghise's actions and negligence, Plaintiff Jennifer Ann F. was thrown about within the motor vehicle she occupied and was caused to suffer severe personal injuries to various parts of her body, including but not limited to her back and neck, some of which continue and are permanent.
5. As a further direct and proximate result of the negligence of Ghise and the injuries sustained, Plaintiff Jennifer Ann F. has been required to, and in the future may be required to receive medical care and treatment for said injuries and to incur expenses for said treatment, all to her damage. Plaintiff, Jennifer Ann F., has further suffered severe pain and mental anguish and continues to suffer said pain and anguish, which may be permanent.
6. As a further direct and proximate result of the negligent actions of Ghise and the injuries sustained, Plaintiff Jennifer Ann F. has been unable to attend her daily

occupation, suffered loss of income and benefits and suffered damage to her work and credit reputation.

**SECOND CAUSE OF ACTION – M.L.F**

7. Plaintiff M.L.F. realleges and reavers each and every allegation and averment as are necessary contained in the First Cause of Action hereinabove as if fully rewritten herein.
8. Plaintiff M.L.F. was a passenger in the vehicle being operated by Plaintiff Jennifer Ann F. at the time of the collision which is the subject of this lawsuit and more fully described in the First Cause of Action herein.
9. As a direct and proximate result of the actions of Ghise, Plaintiff M.L.F. was thrown about and within the automobile she occupied and was caused to suffer severe personal injuries to various parts of her body, including but not limited to her head, body and mind, some of which continue and may be permanent.
10. As a further direct and proximate result of the negligence of Ghise and the injuries sustained, Plaintiff M.L.F. has been required to, and in the future will be required to receive medical care and treatment for said injuries and to incur expenses for said treatment, all to her damage. Plaintiff, M.L.F., has further suffered severe pain and mental anguish and continues to suffer said pain and anguish, which may become permanent.
11. As a further direct and proximate result of the negligent actions of Ghise and the injuries sustained, Plaintiff M.L.F. has been unable to attend her school and to her learning career and suffered damage to her reputation.

**THIRD CAUSE OF ACTION – JENNIFER ANN F.**

12. Plaintiff Jennifer Ann F. realleges and reavers each and every allegation and averment as are necessary contained in the Second Cause of Action hereinabove as if fully rewritten herein.
13. Plaintiff Jennifer Ann F. was at all material times hereto, the parent of plaintiff M.L.F, a minor.
14. As a further direct and proximate result of the negligence of Ghise, Jennifer Ann F. suffered and continue to suffer the loss of comfort, care, support, services, companionship and the normal parent-child relationship with her daughter, Plaintiff M.L.F.

**CONCLUSION**

15. Since Ghise was operating the subject motor vehicle within the course and scope of her employment/agency with USPS and in the furtherance of the business of the USPS and United States of America, Defendant United States of America is vicariously liable for Ghise's negligence and resultant damages set forth herein.
16. On or about June 2, 2021, Plaintiffs presented a Standard Form 95 claim for damages to USPS pursuant to terms of the Federal Tort Claims Act (28 U.S.C. 2675). A copy of the forms for each Plaintiff is attached to the original complaint as Exhibit 1, however it is omitted herefrom.
17. Upon information and belief, USPS has not accepted or rejected this claim.

**WHEREFORE**, Plaintiff **JENNIFER ANN F.**, demands judgment against the defendant, **UNITED STATES OF AMERICA**, in such sum of money that will adequately compensate her for her losses described herein, said sum being **in the amount of One Hundred Thousand Dollars (\$100,000.00) plus any applicable interest from the date of the incident**; and her costs incurred herein on the First Cause of Action;

Plaintiff **M.L.F** demands judgment against the defendant, **UNITED STATES OF AMERICA**, in such sum of money that will adequately compensate her for her losses described herein, said sum being **in the amount of One Hundred Thousand Dollars (\$250,000.00) plus any applicable interest from the date of the incident;** and her costs incurred herein Second Cause of Action;

Plaintiff **JENNIFER ANN F. as parent and Guardian of M.L.F.**, demands judgment against the defendant, **UNITED STATES OF AMERICA**, in such sum of money that will adequately compensate her for her losses described herein, said sum being **in excess of Fifty Thousand Dollars (>\$50,000.00) plus any applicable interest from the date of the incident;** and her costs incurred herein on the Third Cause of Action;

**JURY DEMAND**

A trial by jury is hereby demanded by Plaintiffs.

/s/ Mark S. Frank

**MARK S. FRANK (#0015606)**

Attorney for Plaintiffs

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**CERTIFICATE OF SERVICE**

The foregoing *Redacted Complaint* has been filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system (PACER) to all parties and will also be sent via e-mail to:

Michelle M. Baeppler  
Acting United States Attorney  
c/o Karen E. Swanson Haan,  
Assistant U.S. Attorney  
At:Karen.swanson.haan@usdoj.gov

/s/ Mark S. Frank

**MARK S. FRANK (#0015606)**

Attorney for Plaintiffs

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